

**IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF OKLAHOMA**

CARRIE DONALINE NASH,

Plaintiff,

v.

CAROLYN W. COLVIN, Acting
Commissioner of the Social Security
Administration,

Defendant.

Case No. CIV-14-162-RAW-KEW

ORDER REMANDING CASE FOR FURTHER PROCEEDINGS

On July 20, 2015, the United States Magistrate Judge entered a Report and Recommendation, recommending that the above-styled case be reversed and remanded for further proceedings. The Magistrate Judge found that the decision of the Commissioner is not supported by substantial evidence and the correct legal standards were not applied. On remand, the ALJ is directed to “properly evaluate Dr. Calvin’s opinion, providing the specific weight he is giving the opinion, and identifying supporting or conflicting evidence in the medical record that would justify adopting or rejecting the opinion.” The ALJ “shall also modify his RFC findings and his hypothetical questioning of the vocational expert, if necessary, to reflect the results of his new analysis.”

The Government filed an objection on July 29, 2015, disagreeing with the Magistrate Judge’s conclusion that the ALJ failed to identify specific evidence of record that contradicted Dr. Calvin’s opinion and arguing that although the ALJ did not explicitly state the weight given to Dr. Calvin’s opinion, he sufficiently expressed why he gave the opinion diminished weight.

Upon full consideration of the entire record and the issues herein, this court finds that the Magistrate Judge's recommendation to reverse the ALJ's decision and remand this action for further proceedings is well-supported. Accordingly, the Report and Recommendation of the United States Magistrate Judge is hereby affirmed and adopted as this court's Findings and Order.

IT IS THEREFORE ORDERED that the decision of the Administrative Law Judge is hereby **REVERSED** and this case is hereby **REMANDED** pursuant to the fourth sentence of 42 U.S.C. §405(g) for further administrative proceedings.

IT IS SO ORDERED this 31st day of August, 2015.

A handwritten signature in dark ink, reading "Ronald A. White". The signature is written in a cursive, flowing style with a horizontal line underneath the name.

**THE HONORABLE RONALD A. WHITE
UNITED STATES DISTRICT JUDGE
EASTERN DISTRICT OF OKLAHOMA**